

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

MA in disposed of Case No. 108/2023
IN
Original Application No. 169/2020

WITH

MA in disposed of Case No. 109/2023
IN
Original Application No. 169/2020
(I.A. No. 793/2023)

Kuldeep Singh
Versus
Applicant

State of Haryana & Ors.
Respondent(s)

Date of hearing: 30.01.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Amit Verma, Adv. for Original Applicant in OA 108/2023 (Through VC)

Respondent: Mr. Rahul Khurana, Adv. for the State of Haryana & HSPCB
Mr. Sunil Dalal, Senior Advocate with Mr. Mustafa Alam & Ms. Yashina Sharma, Advs. for Applicant (Sunder Marketing Associates) in M.A 108-109/2023 & I.A 793/2023

ORDER

1. Heard Counsel appearing for the Applicant in MA Nos. 108/2023 and 109/2023.
2. MA No. 108/2023 has been filed seeking permission to file MA No. 109/2023 in OA No. 169/2020.
3. MA No. 109/2023 has been filed with following prayers:

“a). *Issue an appropriate order or direction to restrain the Respondent/s from demanding a cumulative amount of Rs. 53,11,05,562/- (Rupees Fifty-Three Crores Eleven Lakhs Five Thousand and Sixty-Two) as mentioned in the Impugned Demand Notices dt. 20.06.2022, & Notices dated 24.06.2022, 07.07.2022, 12.07.2022, and 17.08.2022, and/or*

- b). *Direct the Respondents to the provide opportunity of personal hearing and submission of the objections to the reports of the Joint Inspection Committee; and/or*
- c). *Direct fresh inspection and assessment in the presence of the applicant after affording an opportunity of hearing; and/or”*

4. It is not in dispute that OA No. 169/2020 has been decided finally by judgment dated 22.08.2022. Learned Counsel for Applicant when questioned as to how MAs are maintainable in a decided matter and under which provisions, he says that he is seeking a direction to the Committee to give opportunity of hearing to the Applicant but could not show any provision under which the said MAs are maintainable and relief sought can be granted.

5. In our view, MAs in question are not maintainable. Hence rejected.

6. At this stage, learned Counsel for Applicant seeks permission to avail such remedy as available in law. It is always open to a party to avail remedies as available in law and for that purpose, no permission is required from this Tribunal.

7. IA No. 793/2023 is filed for seeking an interim order.

8. In view of order passed in MA Nos. 108/2023 and 109/2023 in which this IA has been filed, this application also stands rejected.

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 30, 2024
MA Nos. 108/2023 and 109/2023
In OA No. 169/2020 (I.A. No. 793/2023)
DV